

Thomas-Jensen
Affirmation
(redacted)

Exhibit # 60

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK; et al.,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as President
of the United States; et al.,

Defendants.

C.A. No. 1:25-cv-00039-JJM-PAS

DECLARATION OF Patrick Herron

I, Patrick Herron, declare as follows:

1. I am a resident of the Commonwealth of Massachusetts. I am over the age of 18 and have personal knowledge of all the facts stated herein, except to those matters stated upon information and belief; as to those matters, I believe them to be true. If called as a witness, I could and would testify competently to the matters set forth below.
2. I am currently employed by the nonprofit organization, Mystic River Watershed Association as Executive Director.
3. The Mystic River Watershed Association (MyRWA) is a 501c3 environmental advocacy organization dedicated to restoring and protecting the Mystic River and the surrounding 21 communities. This organization partners with municipalities, agencies, community-based organizations, and residents to implement policies and projects that further a healthy and safe environment.
4. As Executive Director of the MyRWA and signatory for the organization, I have knowledge that our organization has an agreement with the U.S. EPA for a grant (Grant number:

00A01150) entitled “Cooling Solutions for Heat and Health” with a Notice of Award of 5/23/2024. On February 5, 2024, MyRWA attempted to draw \$800 of funding from the ASAP portal to cover staff time incurred between January 28, 2024 and Feb 4, 2025. At that time, the ASAP system would not allow the organization to draw funds. Subsequent investigation showed that our Account Status Indicator showed “Suspended” for this account in the ASAP portal.

5. The EPA-funded project, “Cooling Solutions for Heat and Health,” was awarded funding at the level of \$500,000. As of February 5, 2024 at 12:02 PM, the project had an available balance of \$418, 217.69. We anticipated drawing these funds over 24 mos. to meet the objectives and deliverables outlined in the agreement with EPA.

6. This project funding is dedicated to convening stakeholders, including residents, in Chelsea, Everett, and Malden (combined population of 111,019)—three highly urbanized cities in the Mystic River Watershed where residents are disproportionately impacted by heat and poor air quality—to develop resident-led policy, systems and environmental interventions related to urban heat. The ultimate outcomes of this work will be increased resilience to extreme heat, resulting in a reduction in conditions that exacerbate respiratory incidents and emergency room visits caused by heat. Specifically, the project is: 1) supporting resident capacity related to heat/health and community action; 2) convening CBOs, health organizations, residents and municipalities to learn from each other and more holistically address climate change as the public health concern it is; 3) widely engaging with residents to inform them about heat and potential interventions; and 4) developing localized cooling interventions and identify related funding streams. The team has convened a 12-member resident steering committee that is charged with hosting 9 community workshops; reaching 1,000 residents through direct outreach and engagement; creating a toolkit for residents and municipalities on mitigation interventions; developing at least one intervention in each community; and sharing knowledge through 2 webinars and 1 meeting of regional organizations.

8. The MyRWA budget for this year had relied on grant funds associated with the “Cooling Solutions for Heat and Health” project. We made plans and allocated funding for staffing, supplies,

cooling interventions, and support for partnering Community-Based Organizations (CBOs) and resident ambassadors based on the anticipated receipt of Federal funding promised.

9. Any pause in our federal funding would delay the development of cooling solutions for our communities that suffer the most from urban heat island impacts and poor air quality. The communities include Chelsea, Everett, and Malden (combined population of 111,019) ~~—three highly urbanized cities in the Mystic River Watershed—~~where residents are disproportionately impacted by heat and poor air quality. A delay in implementing solutions to heat exposure and health effects increases the number of people experiencing medical issues and the total cost on the medical system.

10. The total project budget was \$500,000. MyRWA cannot carry out the work outlined within the proposal without federal funding~~—~~as we cannot continue to fund our staff or the staff time of our CBO partners. The loss of funding undermines the reputation of this organization and partnering organizations who have made commitments to work with municipalities, residents and elected leaders to address these problems. Additionally, it leaves residents who are most at risk due to extreme heat and poor air quality~~—~~as who below~~—~~with no recourse for developing solutions.

Table 2. Community-Level Indicators of Vulnerability to Extreme Heat & Poor Air Quality

Indicator	Chelsea	Everett	Malden	MA (State)
Children under age 5 ^a	8.7%	5.9%	5.9%	5.3%
Older adults ages 65 and older ^a	9.4%	11.2%	12.7%	16.1%
Persons with disabilities ^a	12.9%	10.7%	10.5%	11.6%
Households below federal poverty level ^a	18.1%	12.6%	15.5%	10.3%

Heart disease hospitalizations (age-adj. rate per 100,000) ^b	1,638.2	1,339.7	1,229.0	1,177.7
Diabetes emergency department visits (age-adj. rate per 100,000) ^b	347.7	226.0	177.1	193.9
Asthma emergency department visits (age-adj. rate per 100,000) ^b	757.9	796.8	560.4	548.4

Notes: Orange indicates greater vulnerability relative to Massachusetts state average.

^a U.S. Census Bureau, American Community Survey 2015-2019 5-Year Estimates.

^b Center for Health Information and Analysis (CHIA), Massachusetts Acute Hospital Case Mix Database, 2016-2019 4-Year Average.

11. We typically draw on funds from ASAP every quarter. If we do not receive such disbursements, MyRWA will have to halt this project. As a small nonprofit we cannot afford to pay our CBO partners the \$314,000 committed in this budget. Once we halt this project—it will be hard to gain the trust of residents, CBOS and municipal partners in developing these shared solutions for addressing heat and air quality concerns.

13. Our organization has not received any notification from the US-EPA or Program Officers about the status of our project or funding.

14. On Feb. 5, 2024, our organization noted the Account Status Indicator showed “Suspended” and when trying to draw on funds, the grant was not visible in the system.

15. This project is done in collaboration with four CBOs and a 12-person community advisory board. For our CBO partners they have budgeted for this work in their staff plans. As we are unsure if we can continue to reimburse them the \$314,000 budgeted over the three years, they are having to make decisions about their ability to continue to staff this project; or even if they have to reduce their staffing overall.

Additionally, we have the commitment from our three municipal partners to act on resident interventions—but we do not have the staff time to actually engage with residents to develop these solutions.

16. We continue to be concerned that the funding will again be delayed or denied because they have dropped this grant from ASAP--so we can no longer gain reimbursements.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 5, 2025, at Cambridge, Massachusetts.



Patrick Herron

SENSITIVE BUT UNCLASSIFIED



Account Profile Inquiry

Date: 02/05/2025
Time: 12:02 PM

ALC/Region:
68128933

Agency Short Name:
RTP-Grants

Account ID:
[REDACTED]

Recipient ID:
[REDACTED]

Recipient Short Name:
MyRWA

Inquiry Results:

<div>ACCOUNT DETAILS</div> <div>Requestor ID : [REDACTED]</div> <div>Account ID : [REDACTED]</div> <div>Account Description : COOLING SOLUTIONS FOR HEAT AND 1031/LOC Account : No</div> <div>Account Type : Regular Account</div> <div>Group ID : 10512</div> <div>Control Account : No</div> <div>Account Status Indicator : Suspended</div> <div>Available Balance : \$418,217.69</div> <div>Create Date : 05/24/2024</div> <div>Begin Date : 04/01/2024</div> <div>Performance Period End Date : 03/31/2027</div> <div>End Date : 08/02/2027</div> <div>TAS Distribution Method : Percentage by Account</div> <div>Allow Book Entry Adjustment : Yes</div> <div>Allow Warehoused Payments : Yes</div> <div>CMIA Indicator : No</div>	<div>GRANT DETAILS</div> <div>Grant : Yes</div> <div>Federal Award Identification Number (FAIN) : [REDACTED]</div> <div>CFDA Number : [REDACTED]</div> <div>Total Estimated Grant Amount : \$0.00</div> <div>AGENCY PAYMENT REVIEW</div> <div>Agency Review : No</div> <div>Threshold Amount :</div> <div>Reason for Review :</div> <div>DRAW AMOUNTS</div> <div>Max Total Draw Amount :</div> <div>Max Daily Draw Amount :</div> <div>Max Monthly Draw Amount :</div> <div>Max Quarterly Draw Amount :</div> <div>AUTOMATED AUTHORIZATION RENEWALS</div> <div>Authorized Renewal Amount : \$0.00</div> <div>Certified Date :</div> <div>Renewal Frequency :</div> <div>Pending Renewal Frequency :</div> <div>Pending Automated Renewal Amount : \$0.00</div> <div>Rollover Reset Quarter :</div> <div>Default Action :</div>
<div>CUMULATIVE AUTHORIZATIONS</div> <div>Cumulative Authorized Amount : \$500,000.00</div> <div>Cumulative Authorized Amount Reset Period :</div> <div>Annual Reset Month :</div>	

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